

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **CRIMINAL NO. 08-_____**

 v. : **DATE FILED: _____**

JAZON DUSSAN : **VIOLATIONS:**

 : **21 U.S.C. § 846 (conspiracy to distribute 1**
 : **kilogram or more of heroin and 500**
 : **grams or more of cocaine - 1 count)**
 Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about July 29, 2008, to on or about July 30, 2008, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

JAZON DUSSAN

conspired and agreed, together and with others, including co-conspirator Elvis Medina-Rivera, charged elsewhere, to knowingly and intentionally distribute 1 kilogram or more, that is approximately 1,907 grams, of a mixture and substance containing a detectable amount of heroin, and 500 grams or more, that is, approximately 1,074 grams, of a mixture and substance containing a detectable amount of cocaine, both Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and (b)(1)(B).

MANNER AND MEANS

It was part of the conspiracy that:

1. Defendant JAZON DUSSAN recruited Elvis Medina-Rivera to assist defendant DUSSAN with the purchase and pick-up of heroin and cocaine from ship crewmen arriving in United States ports from South America.
2. Both defendant JAZON DUSSAN and Elvis Medina-Rivera contributed funds towards the purchase of the heroin and cocaine.
3. Defendant JAZON DUSSAN and Elvis Medina-Rivera traveled together to New Jersey to pick up a shipment of heroin and cocaine from ship crewmen arriving from South America.
4. At the request of defendant JAZON DUSSAN, Elvis Medina-Rivera met crewmen coming off a ship that had arrived from Venezuela, South America, took possession of a shipment of heroin and cocaine from the crewmen, which Medina-Rivera was to then deliver to defendant DUSSAN.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant JAZON DUSSAN, and others known to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about July 29, 2008:

1. At the request of defendant JAZON DUSSAN, Elvis Medina-Rivera drove a 2008 gold Suzuki Forenza with Pennsylvania license plate GTT9865 from Philadelphia, Pennsylvania to Global Terminal, Bayonne, New Jersey to meet with crewmen from the ship,

MV Cap San Nicolas, that had arrived from South America, to take delivery of a shipment of heroin and cocaine.

2. Defendant JAZON DUSSAN contributed approximately \$12,900 and Elvis Medina-Rivera contributed approximately \$1,100 towards the purchase of the heroin and cocaine.

On or about July 30, 2008:

3. Elvis Medina-Rivera met MV Cap San Nicolas crew members Kafi Manao and Mataio Temoai, who got into Medina-Rivera's gold Suzuki Forenza and delivered approximately 1,907 grams of heroin and approximately 1,074 grams of cocaine, hidden in two spandex back braces, to Medina-Rivera, for which Medina-Rivera was to pay Manao and Temoai \$14,000.

4. After Elvis Medina-Rivera left the Bayonne Global Terminal in the gold Suzuki Forenza with Manao and Temoai, he was stopped by law enforcement agents, who recovered approximately 1,907 grams of heroin, approximately 1,074 grams of cocaine, and approximately \$14,000 in U.S. currency from the gold Suzuki Forenza that Medina-Rivera was driving.

5. At the direction of law enforcement, Medina-Rivera then made arrangements via the telephone to deliver the heroin and cocaine to defendant JAZON DUSSAN in the parking lot of a Burger King at 5823 Castor Avenue in Philadelphia, Pennsylvania.

6. At approximately 10:40 a.m., defendant JAZON DUSSAN, driving a black Toyota Avalon, with Pennsylvania license plate GXC2037, pulled into the parking lot of the Burger King at 5823 Castor Avenue, parked next to Elvis Medina-Rivera's car, and Medina-Rivera put a medium black duffle bag, which defendant DUSSAN understood from Medina-Rivera to contain the heroin and cocaine, into the trunk of defendant DUSSAN's Toyota.

All in violation of Title 21, United States Code, Section 846.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 21, United States Code, Section 846, set forth in this Indictment, defendant

JAZON DUSSAN

shall forfeit to the United States of America:

(a) Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense including the following:

(1) black Toyota Avalon, with Pennsylvania license plate
GXC2037; and

(b) Any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of such offense, including the following:

(1) \$14,000 seized on or about July 30, 2008 from Elvis
Medina-Rivera.

2. If any of the property described above as being subject to forfeiture, as a result of any act of omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
Acting United States Attorney